

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE

PETER BLACKSHAW,)
)
 Plaintiff,)
)
 v.) Civil Action No.:
)
 MSC INDUSTRIAL DIRECT CO., INC.,)
)
 Defendant.)

NOTICE OF REMOVAL

Defendant MSC Industrial Direct Co., Inc. (hereinafter “Defendant”) hereby removes this action to this Court pursuant to 28 U.S.C. § 1331. In support hereof, Defendant states as follows:

1. On March 26, 2012, *Pro Se* Plaintiff Peter Blackshaw (hereinafter “Plaintiff”) filed a Civil Warrant, styled *Peter Blackshaw v. MSC Industrial*, Civil Warrant No. 19916, in the General Sessions Court of Unicoi County, Tennessee.

2. On or about April 2, 2012, Defendant was served with the aforementioned Civil Warrant. A copy of the Civil Warrant, which is contained in the State Court Record, is being filed contemporaneously herewith and attached hereto as Exhibit A. The Civil Warrant was the only document served upon Defendant setting forth the claim for relief upon which Plaintiff's action is based.

3. Plaintiff's Civil Warrant is a civil action for damages, alleging that Defendant terminated Plaintiff's employment in retaliation for his filing an Age Discrimination in Employment Act (ADEA) charge and, as a result, Plaintiff lost unpaid, non-mature stock grants.

4. This case is removable on the basis of federal question, pursuant to 28 U.S.C. § 1331.

5. Defendant's Notice of Removal has been filed within 30 days after the initial receipt by Defendant of a copy of Plaintiff's Civil Warrant in accordance with 28 U.S.C. § 1446(b).

6. Removal to this Court is proper pursuant to 28 U.S.C. § 1441(c) because it is in the district and division embracing the place where the state court action is pending.

7. A copy of this Notice of Removal, as well as the attached Notice of Filing Notice of Removal, attached hereto as Exhibit B, have been mailed to *Pro Se* Plaintiff and are being filed with the Clerk of the General Sessions Court of Unicoi County, Tennessee in accordance with 28 U.S.C. § 1446(d).

WHEREFORE, Defendant removes this action to the United States District Court for the Eastern District of Tennessee.

Respectfully submitted,

s/ O. John Norris, III
O. John Norris, III (TN Bar No. 017504)
Pamela R. Irons (TN Bar No. 023707)
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Attorneys for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on this 18th day of April, 2012, I served a true and correct copy of the foregoing **NOTICE OF REMOVAL** via U.S. Mail, postage prepaid on the following:

Peter Blackshaw
205 T. Harris Rd.
Flag Pond, TN 37657

Pro Se Plaintiff

s/ O. John Norris, III

4849-6399-7967, v. 1